



APW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: BINDER=7B

In re Application of: ) Art Unit: 2643  
Yehuda BINDER )  
Appln. No.: 10/827,349 ) Examiner: S. WOO  
Filed: April 20, 2004 ) Washington, D.C.  
For: A TELEPHONE OUTLET FOR ) Confirmation No. 2612  
IMPLEMENTING A LOCAL... ) February 1, 2006

**REQUEST FOR CONSIDERATION OF DISCLOSED INFORMATION**

Honorable Commissioner for Patents  
Customer Service Window  
Randolph Building, Mail Stop  
401 Dulany Street  
Alexandria, VA 22314

Sir:

This is not a substantive response to the Examiner's Action of April 18, 2006.

In that Action, the Examiner indicated that she would not consider the information listed on forms submitted together with this Application for formal reasons.

This Action is clearly incorrect. According to MPEP §609 I.2., "the Examiner will consider information which has been considered by the Office in a parent application when examining a continuation application...A listing of the information need not be resubmitted in the continuing application unless the applicant desires the information to be printed on the patent."

Thus, the information listed by applicant must be considered whether or not proper listings are filed. However, since in the present case a listing of the information was resubmitted, it is understood that this information will be

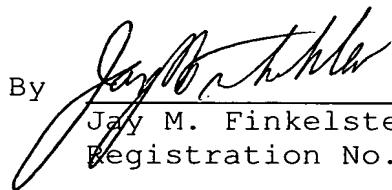
printed on the resulting patent. To facilitate matters, submitted herewith are duplicate copies of the listings originally submitted in the parent application. These copies have a column that provides a blank space next to each document to be considered, for the examiner's initials. As regards the PTO-892, this was prepared by the Examiner and does not relate to an information disclosure statement filed by applicant. Therefore, that form is not governed by 37 CFR §1.97 and 1.98. It is difficult to imagine that an examiner would refuse to consider and make of record prior art cited by the Examiner in a parent application. Indeed, it is questionable as to whether those rules even apply to copies of previously submitted listing.

Accordingly, consideration of the listed prior art and printing of the information on the resulting patent are requested.

Respectfully submitted,

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Attorneys for Applicant

By

  
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**Substitute for form 1449A/PTO**

## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 1 Attorney Docket Number BINDER=7

## U.S. PATENT DOCUMENTS

## FOREIGN PATENT DOCUMENTS

Examiner Signature		Date Considered	
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\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (MPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.



FORM PTO-1449

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

ATTY DOCKET NO. BINDER=7

SERIAL NO.  
Not Yet Assigned

LIST OF DOCUMENTS CITED BY APPLICANT  
(Use several sheets if necessary)

APPLICANT: Yehuda BINDER

FILING DATE: Even Date Herewith

GROUP:

U.S. PATENT DOCUMENTS (include at least patentee, patent number, and issue date)

EXAMINER INITIAL		DOCUMENT NUMBER							DATE	PATENTEE		CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	4	7	6	6	4	0	2	23 Aug 88	Crane				
	AB	4	7	8	5	4	4	8	15 Nov 88	Reichert et al.				
	AC	4	8	8	5	7	4	7	05 Dec 89	Foglia				
	AD	5	2	5	5	2	6	7	19 Oct 93	Hansen et al.				
	AE	5	8	4	1	3	6	0	24 Nov 98	Binder				
	AF	5	8	7	8	0	4	7	02 Mar 99	Ganek et al.				
	AG	5	8	9	6	4	4	3	20 Apr 99	Dichter				
	AH	5	9	3	0	3	4	0	27 Jul 99	Bell				
	AI													

FOREIGN PATENT DOCUMENTS (include at least document number, publication date and country)

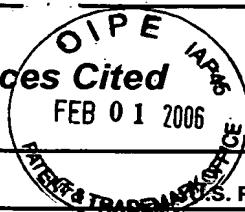
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	YES	NO
	AJ								
	AK								
	AL								
	AM								

OTHER DOCUMENTS (include at least document number, publication date and country)

	AN	
	AO	
	AP	
	AQ	
	AR	
	AS	

EXAMINER	DATE CONSIDERED
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**EXAMINER:** Initial if reference considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

**Notice of References Cited**

 Application/Control No.  
**09/531,692**

 Applicant(s)/Patent Under Reexam  
**Binder**

 Examiner  
**Stella Woo**

 Art Unit  
**2643**
**Page 1 of 1**

	<b>Document Number</b> Country Code-Number-Kind Code	<b>Date</b> MM-YYYY <sup>1</sup>	<b>Name</b>	<b>Classification<sup>2</sup></b>	
<b>A</b>	US 6,216,160 B1	4/2001	Dichter	709	221
<b>B</b>	5,960,066	9/1999	Hartmann et al.	379	93.08
<b>C</b>	6,137,865	10/2000	Ripy et al.	379	93.05
<b>D</b>					
<b>E</b>					
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**FOREIGN PATENT DOCUMENTS**

	<b>Document Number</b> Country Code-Number-Kind Code	<b>Date</b> MM-YYYY <sup>1</sup>	<b>Country</b>	<b>Name</b>	<b>Classification<sup>2</sup></b>
<b>N</b>					
<b>O</b>					
<b>P</b>					
<b>Q</b>					
<b>R</b>					
<b>S</b>					
<b>T</b>					

**NON-PATENT DOCUMENTS**

	<b>Include, as applicable: Author, Title, Date, Publisher, Edition or Volume, Pertinent Pages</b>
<b>U</b>	
<b>V</b>	
<b>W</b>	
<b>X</b>	

<sup>1</sup>A copy of this reference is not being furnished with this Office action. See MPEP § 707.05(a).

<sup>1</sup>Dates in MM-YYYY format are publication dates.

<sup>2</sup>Classifications may be U.S. or foreign.